

CAMPION TAKURA MUGWENI, #36274-177,)	
)	
)	
Plaintiff,)	CIVIL ACTION NO.
)	
VS.)	3:08-CV-1524-G (AH)
)	
WACHOVIA, INC., ET AL.,)	ECF
)	
Defendants.)	

After making an independent review of the pleadings, files and records in this case, and the findings, conclusions and recommendation of the United States Magistrate Judge, I am of the opinion that the findings and conclusions of the magistrate judge are correct and they are adopted as the findings and conclusions of the court.

It is, therefore, **ORDERED** that the findings, conclusions and recommendation of the United States Magistrate Judge are **ACCEPTED**, that plaintiff's claim against defendant Dallas Police Department is **DISMISSED** with prejudice as frivolous pursuant to 28 U.S.C. §§ 1915A(b) and 1915(e)(2), and that

service of process is **ISSUED** on plaintiff's fourth amendment claims against defendants Wachovia, Inc. and Police Officer Jose Delacruz.

Since plaintiff was previously granted leave to proceed *in forma pauperis*, it is **ORDERED** that the clerk shall prepare and issue summonses for the defendants named below, and deliver the summonses to the United States Marshal for service of process pursuant to Rule 4, Federal Rules of Civil Procedure, along with copies of the amended complaint, plaintiff's answers to the supplemental questionnaire, and the recommendation of the magistrate judge.

Defendants

Address

Wachovia Corporation

Wachovia Corporation, 310 South College Street, Charlotte, North Carolina 28288

OR

Agent Ricardo Ortiz (#24043855),
Bickerstaff Heath Delgado Acosta LLP, 325 North St. Paul, Suite 2100, Dallas, Texas 75201

Officer Jose Delacruz,
Badge #8862

Dallas Police Department, 1400 South Lamar Street, Dallas, Texas 75215

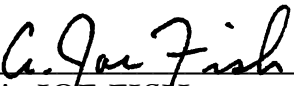
The U.S. Marshal shall serve the summonses along with copies of the amended complaint, plaintiff's answers to the supplemental questionnaire, and the recommendation of the magistrate judge on the defendants and file a return of service in the case pursuant to FED. R. CIV. P. 4(c). In the event Officer Delacruz is no longer associated with the Dallas Police Department, the United States Marshal shall

command all necessary assistance from the Dallas Police Department to execute this order.

The clerk will mail a copy of this order to plaintiff.

This case is presently **REFERRED** to **United States Magistrate Judge William F. Sanderson, Jr.** for pre-trial management.

January 5, 2009.



A. JOE FISH
Senior United States District Judge